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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 002550

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TAGS: PREL PGOV PHUM KDEM IZ IR

SUBJECT: UNAMI ON THE NATIONAL ELECTIONS, KIRKUK AND THE MEK (RE-SEND)

Classified By: Political Minister Counselor Gary A. Grappo for reasons 1.4 (b) and (d).

¶1. (C) SUMMARY: UNAMI Deputy SRSG Andrew Gilmour discussed with POL M/C the challenges of passing a timely national elections law, suggesting that UNAMI, the Embassy, and others would need to make a major push with Iraqi political players in October to rally support for passage of the law and to ensure that Kirkuk is included. Gilmour encouraged a more muscular U.S. role on disputed internal boundaries (DIBs), including Kirkuk, and underscored the importance of close U.S.-UNAMI coordination. POL M/C raised with Gilmour options for a UN role in resolving the Ashraf/MEK issue. END SUMMARY.

Election Law, Kirkuk

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¶2. (C) In a September 14 meeting with POL M/C, Deputy SRSG Gilmour expressed concern that the question of voter eligibility in Kirkuk could capsize the debate on the elections law (septel). According to Gilmour, Sunni Arab politicians had expressed concern to UNAMI that if used in the January national elections, the current voter registry could later be used for Kirkuk provincial council elections or as a basis for a referendum on Kirkuk's status. The root of their concern was that the current registry included 300,000-400,000 new Kurdish voters since 2004. Gilmour said that UNAMI and the USG need to find a way to counter the Sunni Arabs' and Turkomen's fears. He had engaged Sunni Arab and Turkomen politicians in Kirkuk but had failed to dissuade them from stirring up controversy about Kirkuk when at most, one was talking about 2-3 extra seats for the Kurds out of approximately 310 seats planned for the Council of Representatives (COR). Instead, the Arabs and Turkomen offered the idea of using the 1957 census, which Gilmour rejected as a non-starter.

¶3. (C) Gilmour was skeptical of Speaker Sammarai's notion of establishing a committee to examine residency claims of new Kirkuk voters because it would likely take years to implement. In addition, only allowing people who are registered on the 2004 voter registration rolls was a red line for the Kurds, Gilmour noted. He predicted that UNAMI, the United States, and other concerned parties would need to rally on the election law in early October.

Coordination on Kirkuk

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¶4. (C) Responding to POL M/C's description of the Embassy's Kirkuk Action Plan, Gilmour affirmed that the USG position -- including advocacy of an interim special status and support for a confirmatory vice decisional referendum -- was consistent with UNAMI. Gilmour added, however, that UNAMI preferred the "Special Status-Dual Nexus" position outlined in UNAMI's Kirkuk Options paper because it would be more conciliatory to the Kurds. He also agreed that it would be

difficult to convince the Kurds, in particular Kurdistan Regional Government President Masoud Barzani, to retreat from their call for a decisional referendum. Gilmour suggested a coordinated roll-out in which first UNAMI announced its position on Kirkuk, then the USG followed with its own announcement publicly voicing its support for UNAMI's position.

¶ 15. (C) POL M/C underscored that the United States strongly supported the UNAMI-sponsored process and that we would be willing to take steps to help move the process forward. For example, he noted, the Embassy could provide technical assistance to expedite property claims. UNAMI's Stephanie Khouri noted that she has already worked up a detailed plan which she would share with the Embassy. POL M/C recommended that Khouri liaise with Embassy's Rule of Law Coordinator Doug Allen. POL M/C previewed Ambassador Hill's request for Special Advisor for Northern Iraq Alan Misenheimer to participate as an observer in UNAMI's High Level Task Force (HLTF) meetings. Gilmour said he did not foresee any problems with this and promised to discuss the suggestion with SRSG Melkert upon his return. POL M/C mentioned that the Embassy would be engaging the Kurds on Kirkuk and the related hydrocarbons revenue-sharing law.

Mediating between the GOI and MEK

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¶ 16. (C) POL M/C told Gilmour that senior USG officials in Washington would want to discuss with visiting SRSG Melkert the Mujahedeen-e-Khalq (MEK). Specifically, Washington would be interested in exploring how the UN might facilitate a

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peaceful relocation of MEK members out Ashraf. POL M/C noted USG disengagement coordinated with establishment of a UN presence in Ashraf would allow for credible third-party mediation and help ensure that the GOI abided by its assurances to handle the MEK humanely and in accordance with Iraqi and international law. It would also dispel the MEK's willful misunderstanding of the United States obligations and thus might encourage the MEK to cooperate with the GOI in a peaceful resettlement.

¶ 17. (C) Gilmour noted that the MEK issue would fall under the UN's human rights office, but agreed that it would be a good idea for officials in Washington to broach the idea of UN involvement directly with SRSG Melkert. Gilmour also cautioned that Maliki would need some convincing about a UN presence given his suspicion that a UN role could actually embolden the MEK to instigate a confrontation. POL M/C explained that we planned to reiterate to PM Maliki the merits of a UN presence and urge caution in dealing with the MEK.

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